



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

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May 25, 2021

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**Magistrate Judge Sarah Netburn
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007**

**Re: Rosemary Scott Sumter Saw Creek, et al. v. Jessica Keith, et al.
21cv3723 (GBD) (SN) (S.D.N.Y.)**

Dear Judge Netburn:

I am counsel to Defendant Jessica Keith in the above-captioned matter and I write concerning the deadline for Ms. Keith to respond to the Complaint. The Pennsylvania Department of Human Services received the Complaint on May 7, 2021 and the Summons states that a response by Ms. Keith is due within 21 days (assuming that service was proper). I was assigned as counsel to Ms. Keith earlier today and respectfully request an additional 28 days for Ms. Keith to respond to the Complaint. At this time, Ms. Keith plans on moving to dismiss the Complaint on multiple grounds, including for lack of personal jurisdiction and pursuant to the abstention doctrine set forth in *Younger v. Harris*, 401 U.S. 37 (1971) since the relief sought by Plaintiffs would interfere with an ongoing Pennsylvania state criminal proceeding pending in the Pike County Court of Common Pleas.

Respectfully submitted,

/s/ Alexander T. Korn
ALEXANDER T. KORN
Deputy Attorney General

CERTIFICATE OF SERVICE

I, Alexander T. Korn, Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on May 26, 2021, I caused to be served a true and correct copy of the foregoing letter motion to Magistrate Judge Sarah Netburn to the following:

VIA FIRST CLASS MAIL

Saw Creek and Pine Ridge Indian Communities Tribal Counsel
Attn: Rosemary Scott Sumter
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New York, New York 10029